

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

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09	UNITED STATES OF AMERICA,)	
10)	Case No. CR01-032/CR06-299-RSL
11	Plaintiff,)	
12)	
13	v.)	SUMMARY REPORT OF U.S.
14)	MAGISTRATE JUDGE AS TO
15	DENNIS E. BURNS)	ALLEGED VIOLATIONS
16)	OF SUPERVISED RELEASE
17	Defendant.)	
18	_____)	

14 An initial hearing on a petition for violations of supervised release in this case was
15 scheduled before the undersigned Magistrate Judge on July 14, 2008. The United States was
16 represented by Assistant United States Attorney Tate London, and the defendant by Mr. Tim
17 Lohraff. The proceedings were digitally recorded.

18 The defendant had been charged and convicted of Bank Robbery, in violation of 18
19 U.S.C. § 2113 (a), and on or about September 21, 2001, was sentenced by the Honorable
20 Robert S. Lasnik to seventy-two 72 months in custody, to be followed by 3 years of
21 supervised release. On or about November 16, 2006, defendant had been charged and
22 convicted of Escape, in violation of 18 U.S.C. § 751(a) and was sentenced by the Honorable
23 Robert S. Lasnik to 21 months in custody, to be followed by 3 years supervised release.

24 The conditions of supervised release included the requirements that the defendant
25 comply with all local, state, and federal laws, and with the standard conditions. Special
26 conditions imposed included, but were not limited to, participation in a substance abuse and

01 mental health program, financial disclosure, \$1,158 restitution, search, no new credit and
02 abstain from alcohol.

03 In a Petition for Warrant or Summons dated June 16, 2008, U.S. Probation Officer
04 Donald E. Moon alleged the following violations by defendant of the conditions of his
05 supervised release:

- 06 1) Failing to submit a truthful written report for the month of May 2008, on or
07 about June 5, 2008, in violation of standard condition number 2.
- 08 2) Failing to notify the probation office at least ten days prior to any change in
09 residence, on or about June 12, 2008, in violation of standard condition number
10 6.

11 In a Supplemental Violation dated July 10, 2008, U.S. Probation Officer Donald E.
12 Moon alleged the following supplemental violation by defendant of the conditions of his
13 supervised release:

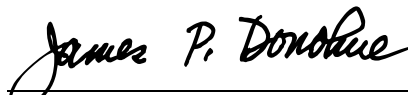
- 14 3) Using marijuana on or about June 27, 2008, in violation of special condition
15 number 7.

16 On July 14, 2008, defendant made his initial appearance. The defendant was advised
17 of the allegations and advised of his rights. Defendant admitted to violations 1, 2 and 3.

18 I therefore recommend that the Court find the defendant to have violated the terms and
19 conditions of his supervised release as to violations, 1, 2 and 3, and that the Court conduct a
20 hearing limited to disposition. A disposition hearing has been set before the Honorable Robert
21 S. Lasnik on July 24, 2008 at 2:00 p.m.

22 Pending a final determination by the Court, the defendant has been detained.

23 DATED this 15th day of July, 2008.

24
25 
26 JAMES P. DONOHUE
United States Magistrate Judge

cc: District Judge: Honorable Robert S. Lasnik
AUSA: Ms. Lisca N. Borichewski
Defendant's attorney: Mr. Tim Lohraff
Probation officer: Mr. Donald E. Moon